

JAN 09 2006

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

January 9, 2006

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**FACSIMILE COVER SHEET**

To: Examiner Jennifer N. To  
Art Unit 2195  
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

From: Douglas A. Scholer  
Reg. No. 52,197

Re: U.S. Patent Application  
Serial No. 10/022,982  
Filed: December 17, 2001  
Applicant: William Joseph Armstrong et al.  
Art Unit: 2195  
Confirmation No.: 4230  
Our Ref: IBM/195

Fax: 571-273-8300

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of Facsimile  
Transmission (2 pages)  
Amendment After Final (8 pages)

Pages: 11 (including cover sheet)

**MESSAGE/COMMENTS  
OFFICIAL****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (11 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Jennifer N. To, Art Unit 2195, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 571-273-8300 on January 9, 2006.

*Judith L. Volk*  
Judith L. Volk

*January 9, 2006*  
Date

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## PATENT

Att'y Docket No. IBM/195/124

Confirmation No. 4230

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk  
Judith L. Volk

January 9, 2006  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Joseph Armstrong et al. Art Unit: 2195  
Serial No.: 10/022,982 Examiner: Jennifer N. To  
Filed : December 17, 2001  
For : DYNAMIC DIAGNOSTIC PROGRAM FOR DETERMINING THREAD WAIT TIME

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is an Amendment After Final.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status  
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	38	minus	39	0	\$50	\$0.00
Independent Claims	4	minus	4	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

Page 1 of 2  
Serial No. 10/022,982  
Transmittal for Amendment After Final of January 9, 2006  
Reply to Final Office Action of August 10, 2005  
IBM Docket: ROC920010097US1  
WH&E IBM/195  
K:\ibm\195\Amendment After Final Transmittal and

JAN 09 2006

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$

Method of Payment:

Check enclosed in the amount of \$

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

OR

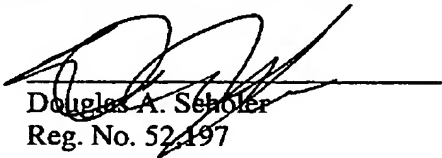
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

  
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**Enclosed:**

Fax Cover Sheet containing Certificate of Facsimile Transmission (1 page)  
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JAN 09 2006

PATENT

IBM/195  
Confirmation No. 4230**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: William Joseph Armstrong et al.      Art Unit: 2195  
Serial No.: 10/022,982      Examiner: Jennifer N. To  
Filed: December 17, 2001      Atty. Docket No.: IBM/195  
For: DYNAMIC DIAGNOSTIC PROGRAM FOR DETERMINING THREAD  
WAIT TIME

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**AMENDMENT AFTER FINAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Final Office Action dated August 10, 2005, please amend the  
above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on  
page 2 of this paper.

**Remarks** begin on page 8 of this paper.

Page 1 of 8  
Serial No. 10/022,982  
Amendment After Final dated January 9, 2006  
Reply to Office Action of August 10, 2005  
IBM Docket ROC920010097US1  
WH&E IBM/195  
K:\ibm\195\Amendment After Final.wpd